ANIMADVERSIONS

ON

Two Pamphlets

Lately Publiſh'd by

Mr. *COLLIER.*

The one call'd, *A Defence of the Abſolution given to Sir* William Parkins *at the Place of Execution*, April 3*d.*

The other, *A Vindication* thereof; occaſion'd by a Paper entituled, *A Declaration of the Senſe of the Achbiſhops and Biſhops*, &c.

Shewing the Nature of the late Abſolution, both as to

CHURCH and STATE.

In a LETTER to a Friend.

Abſolution at Mr Ashton's Execution — p. 24

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Animadverſions

ON

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Lately Publiſhed by

Mr. *COLLIER.*

SIR,

ACcording to your Deſire, I have ſent you here my Thoughts concerning the Proceedings of the three Abſolving Clergymen, at Sir *J. Friend's* and Sir *W. Parkins's* Execution, together with ſome ſhort Remarks on Mr. *Collier's*

lier's two Papers in which he has endeavour'd to juſtify thoſe Proceedings.

I ſhall conſider 'em, Firſt, *With Relation to the Church*; and Secondly, *With relation to the State.*

As they are *conſidered with Relation to the Church*; I take 'em to be *irregular* and *unwarrantable* on ſeveral accounts.

For, 1ſt. Such an *Impoſition of Hands*, as thoſe Clergymen made uſe of in the *Abſolution*, is by no means warrantable. Mr. *Collier* endeavours to ſhew that the giving of Abſolution, with impoſition of Hands, was the general Practiſe of the Antient Churches, particularly in St. *Cyprian*'s Age, and that the performance of this Ceremony was allow'd to Prieſts, and ſometimes to Deacons as well as Biſhops.

Suppoſe all this, Yet this Practice of thoſe Antients does not at all juſtify Mr. *Collier*'s Proceedings in this Point, and that for theſe two Reaſons.

1ſt. The Abſolution in which thoſe Antients made uſe of *Impoſition of Hands*, was not ſuch an *Abſolution* as that in which Mr. *C.* was concern'd; but an Abſolution of Perſons *Excommunicated*, or ſuch as had deſerted the Communion of the Church. It was cuſtomary in the Antient Church to Excommunicate ſuch as had committed any very grievous and notorious Crime, and after they had given the Church Satisfaction, and were again to be reconciled

conciled to it; they were Abſolv'd from the Cenſure of the Church by the *Impoſition of Hands*. What they meant in this Caſe by the *Laying on of Hands*, we may learn from S. *Cyprian*. They look't upon thoſe that were out of the Church, to be depriv'd of *the Holy Ghoſt*, and (as he ſaith) not to be *truly Chriſtians*. And, as now in our *Ordinations*, we make uſe of *the Impoſition of Hands*; ſo the Antients frequently made uſe of the ſame Ceremony for reſtoring to the Communion of the Church, ſuch as before were *Excommunicated*. *Ep.* 74. p 213.

For the ſame cauſe it was that they that were Baptiz'd either by *Hereticks* or *Schiſmaticks* were not among them receiv'd into the Church, but by *Impoſition of Hands*; for tho they own'd the Baptiſm of *Hereticks* and *Schiſmaticks* to be valid, yet they did not believe that any ſo Baptiſed, could be endued with the *Holy Ghoſt*, till the Church had laid their Hands on 'em. For the ſame reaſon the *Impoſition of hands* was made uſe of when any one that had turn'd *Heretick*, or *Schiſmatick*, was again reconcil'd to the Church; as alſo in the Abſolution of the *Lapſi*, that is, ſuch as in the times of *Perſecution*, had *Sacrificed* to the *Heathen Gods*; and by doing ſo, had thrown themſelves out of the Communion of the Church.

The Examples and Authorities produced by Mr. *C.* are all of this kind; neither can he (if I am not much miſtaken) produce any one inſtance of the *Impoſition of Hands* in *Abſolution*, except in the Reconcilement

cilement of Offenders to the Church. His *Albaſpinaus* will hardly be able to ſupply him with any that are pertinent to his purpoſe. But,

2dly. Could he ſhew that in the Antient Church, this *Ceremony* of *Impoſition of Hands* was made uſe of in *Abſolution*, in other caſes beſides that mention'd; yet his Proceedings, (who profeſſes himſelf to be a Member of the Church of *England*, and to Govern himſelf by the Orders of it) could not be Juſtified by any ſuch Inſtances of thoſe times.

Lege fidei manente cætera jam diſciplinæ & converſationis admittunt novitatem correctionis. De Virg. Veland, c. 1.

It is *Tertullian's* Obſervation, *That the Law of Faith remaining intire, other things belonging to Diſcipline and Converſation, admit alteration according as circumſtances require.*

Art. 34.

And accordingly our Church hath declared, *That every particular, or National Church hath Authority to Ordain, Change, and Aboliſh Ceremonies or Rites of the Church, Ordained only by Man's Authority, ſo that all things be done to Edifying.*

Now ſince the *laying on of Hands* in Abſolution, is acknowledged to be only a *Ceremony*, and not to be neceſſary to it; it muſt be in its own Nature changeable, and ſo may be uſed or laid aſide as the Church ſhall ſee meet.

And

And ſince it is a Ceremony not *retained* in the Church of *England*, it's being in uſe heretofore in another Church or Age, cannot warrant the uſe of it in any particular Officer of this Church, no more than it will the ſtanding on the Lord's Days between *Eaſter* and *Whitſontide*, the *Trine Immerſion*, and ſeveral other Rites, too many to be here repeated.

The Church of *England* has as much Power and Authority, as to the Inſtitution or Abolition, the Uſe or Diſuſe of any particular Ceremonies, as St. *Cyprian*'s own Church had; and a Miniſter of the Church of *England*, is not to govern himſelf herein by the uſage of the Church of *Carthage*, but by his own. And therefore it is not ſufficient for Mr. *C.* to ſhew *Impoſition of Hands* in Abſolution to be a Ceremony uſed in the *African* Church that will juſtify his Practice; for then by the ſame Reaſon all Ceremonies of thoſe Churches, and of all other Orthodox Churches in that time, or before, would become obligatory; But, (as a Member of the Church of *Carthage* would then) he muſt be able to prove it to be the Injunction or practice of his own Church. What ſay the Articles, or Rubricks, or Canons, or Offices of the Church where he Officiates? What they injoyn, he muſt uſe; what that uſes he may Practice: But he cannot be a Rule to himſelf. He is no more to add, than he is to injoyn or alter, for they all belong to the ſame Authority. So impertinent is that which he

he alledges in his own defence, *viz.* 'That as the Ce-'remony of *Laying on of Hands* is not preſcribed in the '*Rubrick* of *Abſolution*; ſo neither is it *Prohibited*. For if the not being Prohibited, could be a ſufficient warrant for a particular Perſon's Practice, we might return to the condition the Church was in, in St. *Auſtin*'s Time, which he complains of; nay, to the *Ceremoniale* of the Church of *Rome*; and ſo the Rubrick of our Church concerning ceremonies, *why ſome are aboliſhed, and ſome retained*, be altogether in vain. Good Order, Uniformity and Decency require, that, as thoſe Ceremonies which the Church Ordains, ſhould not be omitted at pleaſure by particular Miniſters; ſo They ſhould not make uſe of any but what the Church and Law amongſt us do Preſcribe; of which Mr. *C.* may be convinced, if he peruſe the Act of Uniformity, XIV. *Car.* 2. or the Rubrick of Ceremonies, *why ſome be aboliſhed, and ſome retained.*

Secondly, It is contrary to the Practiſe of the Church of Chriſt in general, and againſt the Direction of our *Rubrick* in particular, to Abſolve a Perſon, or to aſſiſt in the Abſolution of a Perſon, whoſe Confeſſion and Repentance are known no otherwiſe than by the Teſtimony of others; as Mr. *Collier* aſſiſted in the Abſolution of Sir *J. Friend*; and Mr. *Snatt*, and Mr. *Cook* in that of Sir *W. Parkins*. 'Tis requir'd by the *Rubrick* in the *Viſitation of the Sick*, that before the *Abſolution* there ſhall be a *Confeſſion* of Sins to the *Miniſter that Abſolves*, and that after the *Confeſſion*, the Penitent ſhall deſire *Abſolution* from *him*.

It

It runs thus: *Here ſhall the ſick Perſon be mov'd to make a ſpecial Confeſſion of his Sins, if he feel his Conſcience troubled with any weighty Matter. After which Confeſſion, the Prieſt ſhall Abſolve him (if he humbly and heartily deſire it) after this ſort,* &c. The Inſtances brought by Mr. C. to juſtifie his Practice, from the Cuſtom of the Ancient Church, of admitting Strangers to Communion, by Virtue of a *Certificate* given by the Biſhop under whom they formerly lived; and from the Cuſtom of our Church of conferring *Holy Orders* on ſuch as are not perſonally known, upon the Recommendation of others, is by no means ſufficient. For as to the *former*, he paſſes by the main point, and doth not ſo much as venture to give one Inſtance of Perſons Abſolved after that Manner, by a joint Act of ſeveral Presbyters; and by the Major part of ſuch as had no Perſonal knowledge of the State of the profeſſed Penitent. And the Inſtances he gives, are not at all parallel; ſince thoſe Ancients never gave thoſe *Certificates* to ſuch as were not Perſonally known to them, or whoſe Caſe they were not privy to; and much leſs to ſuch as ſtood Condemn'd for Notorious Crimes. As to the *latter*, [the Practice of our Church,] he is guilty of a groſs miſtake; for Orders amongſt us are never Conferr'd upon ſuch as are not Perſonally known. The Law and Canons indeed require, That the Perſon to be Ordained ſhould be recommended by ſome approv'd Presbyters, that

give him Credit as to his Behaviour and other Qualifications by a Certificate. But notwithstanding, he is further to be particularly Examined by the Arch-Deacon, the proper Officer deputed by the Law and the Church for that Service; who is to Enquire of him, and Examine him, and is to give an Account of the Candidate's Qualifications, and to declare Publickly and Solemnly to the Bishop before his Ordination, that the Person whom he presents, is *apt* and *meet* for the Ministry. But were it so, that Orders are Conferred upon others Recommendation, yet it is supposed to be what the Law and the Canons of the Church allow and appoint. But to absolve or to assist in the Absolution of a Person, whose *Confession* and *Repentance* we are not immediately acquainted with, is contrary to the Directions of the Church; neither is there any Necessity that can justifie it, or if it could, it had no place here. For it had been *sufficient* and regular also, if He that receiv'd the *Confession* had given the *Absolution* without any Assistant.

V. *Office for Ordination.*

3. Another thing that I look upon to be *Irregular*, is, their pronouncing Absolution in Publick, when there was not any publick *Confession*. What Example of this kind does Mr. *Collier* meet with in the *Antient Church*? In a Case where the Crime had been Publick and Notorious, and the *Peni-*

Penitents were reconciled to the Church and admitted to Communion, the Abſolution indeed was publick, but ſo was alſo their Repentance and Confeſſion: But in ſuch a caſe to give a Publick Abſolution, upon a ſecret Confeſſion and private Repentance, is peculiar to theſe Perſons, and what they have the Honour to be the firſt Inventers of. But this I ſhall have farther occaſion to touch again on by and by, when I come to conſider their *Proceedings with relation to the Civil Government.*

Neither 4*thly*, can their concurring all *Three* together in the Abſolution, be ſufficiently excus'd. For tho' perhaps in it ſelf it carries nothing of ill with it, yet 'tis no ſmall Preſumption in the Clergy, to pretend to do a thing ſo unuſual in the Church, without any Church-Rule, or any former Preſident in the Church, eſpecially, in that which they ſtand related to.

Mr. *Collier* would perſwade us, that ſuch things as theſe which I have condemn'd as *Irregularities*, are left by the Church to the Prudence and Diſcretion of thoſe that Officiate, tho' they are but of the inferiour Clergy. No ſuch matter. It is not the Inferiour Clergy to whoſe Prudence and Diſcretion ſuch things as theſe are left. There are many things left to the Prudence and Diſcretion of the Biſhops, the Fathers and Go-

vernours of the Church: But the Inferiour Clergy, are to act according to the receiv'd Rules and Directions; they are not to Innovate in any thing without the permiſſion and leave of their Superiours. Mr. *Collier* might have learnt from St. *Cyprian*, (to whom, as he acknowledges, *we are principally obliged for the Remains we have of the Diſcipline and Government of the Primitive Church*,) a better and truer Notion, concerning the Obedience and Subjection of the Inferiour Clergy to their *Dioceſans*, and the Honour that is due to the *Epiſcopal Order*. There never was any Biſhop that paid greater deference to his Inferiour Clergy, than that Great Man did: Yet would he have ſuffered his Clergy to alter the Rules and Cuſtoms of the Church without his Conſent? Would he have thought well of ſuch forward and preſuming Presbyters? It was uſual with him to conſult with his Clergy, for the Government and good Order of his Church; but he knew better things, than to ſuffer them to make uſe of their Prudence and Diſcretion, in oppoſiion to, or differently from the Cuſtoms and Rules of his Church. He expreſſes in many of his *Epiſtles*, a very great diſlike of the Proceedings of ſome of his Clergy, in uſing their own Diſcretion, in admitting the *Lapſi* to Communion without his Knowledge and Conſent. He aſſerts his Epiſcopal Authority, and he ſtrictly charges them not to take upon them after that manner, and not

not to *Abſolve* for the future, till he himſelf ſhould return and judge of the ſufficiency of the Confeſſion and Repentance of thoſe that were to be *Reconciled*, and together with the Clergy lay his Hands upon them. He tells them roundly, that in the Time of his Predeceſſors, no Presbyters durſt do ſuch things, that * their Proceedings were an Affront to his Authority; and † *that all the Acts of the Church ought to be governed and directed by the Biſhops of the Church.* And it plainly appears from his Eighteenth *Epiſtle*, that his Regular Clergy did not dare in his abſence to Abſolve the *Lapſi*, even in a Caſe of Neceſſity, when they lay on their *Death-beds*, till he himſelf had Writ to them, and given them a Commiſſion to do it without him.

* *Quod enim non periculum metuere debemus de offenſâ domini; quando aliqui de Presbyteris, nec Evangelii, nec loci ſui memores, ſed neque futurum domini judicium, neque nunc ſibi præpoſitum Epiſcopum cogitantes, quod nunquam omnino ſub anteceſſoribus factum eſt, cum contumeliâ & contemptu Præpoſiti, totum ſibi vindicent?* Ep. 16.

† *Inde per temporum & ſucceſſorum vices, Epiſcoporum ordinatio, & Eccleſiæ ratio decurrit, ut Eccleſia ſuper Epiſcopos conſtituatur:* Et omnis actus Eccleſiæ per eoſdem Præpoſitos gubernetur. *Ep.* 33.

I ſhall ſay no more of theſe matters, but only take notice how briskly and triumphantly Mr. *C.* lays about him ſometimes in the open Air without any Adverſary to oppoſe him. You would

would think the Biſhops, according to his Repreſentation, (if you had not read their *Declaration*) were to be very eaſily refuted, and guilty of ſtrange miſtakes. But when you compare the *Declaration* and the *Anſwer* together, you will have occaſion to wonder, who it is Mr. *C.* is pleaſed to write againſt. The Biſhops never denied that the *laying on of Hands* was oftentimes uſed by the Antients in *Abſolution*: But they underſtood (I preſume) that it was not made uſe of in ſuch an *Abſolution* as Mr. *C.* was concerned in. They never denied but that in reconciling to the Church a Perſon that was out of its Communion, even *Presbyters* themſelves did ſometimes Officiate alone with that Ceremony. But they do not allow that they ſhould take upon themſelves to alter the Eſtabliſhed Rules and Cuſtoms of the Church, or to add any to them which are not already Eſtabliſhed. They do not deny, but that a Malefactor condemn'd to die, if he appears to be truly Penitent for all his Sins in general, and particularly for that for which he ſtands condemned, and does humbly and earneſtly deſire Abſolution, may be allow'd that Benefit and Comfort; but they do not approve of its being perform'd in Publick without as publick a Confeſſion, much leſs by ſuch *Impoſition of Hands*; neither do they allow that any ſuch Clergy-man ſhould *Abſolve*, who

who is not immediately and particularly acquainted with the Condition of the Perſon.

There is one thing more which ought not to be paſſed by without an Animadverſion, and that is Mr. *Collier*'s diſingenuity in laying to the Charge of the Biſhops, that they blame the *Abſolving Clergy-men for pronouncing a Form of Abſolution. With* ſubmiſſion (ſays Mr. *C.*) *a Form is better than no Form.* He adds, that he *is ſorry to ſee the ſolemn Offices of Religion mention'd, with ſuch ſeeming Coldneſs and Abatements of Expreſſion.* I hope Mr. *C.* will, on ſecond Thoughts, be *ſorry* for ſo falſe an Accuſation, and think himſelf oblig'd to ask pardon of the Biſhops for Expreſſions ſo unbecoming towards Perſons of their Character and Station. And that you may be able to judge what reaſon he has to do ſo, I ſhall here produce their Words.

Laſtly, For thoſe Clergy-men that took upon them to Abſolve theſe Criminals at the place of Execution, by laying all three together their Hands upon their Heads, and publickly pronouncing a Form of Abſolution: As their manner of doing this was extreme-

ly

ly Inſolent, and without Precedent, either in our Church or any other that we know of; ſo the thing it ſelf was altogether irregular. By which it appears, that They do not diſapprove of their uſing a *Form* of Abſolution, but of their uſing it with ſuch Circumſtances, and on ſuch an Occaſion.

I come now to conſider the Proceedings of the *Abſolvers with relation to the State.*

As this matter is conſidered *with relation to the State*, I cannot call it by a ſofter Name than that of a daring ——— I do not love to uſe hard Words; I hate it in others, and I would not do it my ſelf; yet I cannot but call it a daring piece of Inſolence. Mr. *C.* is pleaſed to tell us, That if he had been permitted to wait upon Sir *W. Parkins* in Priſon the Morning that he was Executed, he had given him *Abſolution*, not in publick, but in private.

In

In Answer to which, I must beg your leave to observe Three Things. 1. That Mr. *Snatt* and Mr. *Cook* were permitted to be with Sir *John Friend* so long, that they might have Absolv'd him in *private*, if they had not chosen to do it in *publick*. 2. That after Mr. *C.* was prohibited, there was another *Non-jurant* Minister, one Mr. *Bell*, allow'd to wait upon Sir *William Parkins*, by Sir *William*'s own desire: Now, why did not that Gentleman Absolve him there in private? What reason can be given for that, except it be that the Absolution was intended to be *publick*? Was it because Sir *William* desired to be *Absolv'd* by Mr. *Collier*? Why would not the *Other*'s Absolution satisfie him; especially considering that he was of his own choosing? 3. It is to be observ'd, that (as Mr. *C.* himself informs us) upon the same occasion at the Execution of Mr. *Ashton* 1690. the *Absolution* was pronounced by a *Non-jurant* Minister in Publick, at the same place, and in the same manner. Would not this alone (were there nothing else to be said) give us too much reason to suspect, that it was not Mr. *Collier*'s being uncapable of pronouncing the Absolution in Private, that made him do it in Publick, but that he had all along intended to perform it in Publick. He that seriously considers that the same was done before at Mr. *Ashton*'s Execution, and with the same Circumstances, and what I before observ'd, will be very apt to believe, that it was the Resolution of those of the *Non-jurant* Clergy who have forsaken our Assemblies, to Absolve their Friends after that manner. I might add, that Mr. *Collier*'s

Inclination to perform the Absolution in *Publick*, does sufficiently appear from his forwardness in joining with the other two Gentlemen in the Absolution of Sir *John Friend*, with whom he had not been at all concern'd.

Mr. *C.* is a Gentleman whom I know not, and I'm sure I do not hate: And I would rather excuse him if I saw any way to do it, than aggravate his Crime. I will for the present force my self even against my reason to yield to what he says. Let the matter therefore stand thus, as to him: Yet it cannot be denied, but that the Resentment which the Government has express'd on this occasion is highly reasonable and just.

For *First* it ought to be consider'd, that to Absolve a Person condemn'd for High-Treason, if he owns the Fact, and does not shew himself sorry for it, is plainly to declare that we look on that Fact as no Crime. And therefore though the Absolution be pronounced in private, yet if it be known that there was such an Absolution, the Government has reason to look upon the Absolver as an Enemy, and accordingly to proceed against him; how much more when the Party Absolv'd is not only condemn'd for High-Treason, but for the horridest part of it, a Design to *Assassinate* a King! When I first lookt into Mr. *Collier*'s Papers, I was in hopes he would have given the World an Assurance, that he thought Sir *William Parkins*, whom he had Absolv'd, truly Penitent

tent for the Crime for which he was condemn'd, and that he was ſurpriz'd to find afterwards by the Speech, which he left behind him, that he was not really ſo. If he had ſaid this, he had ſaid ſomething material. But inſtead of that, you will meet with nothing but what will abundantly convince you, that when he Abſolv'd him, he did not look upon him to be ſorry for that Fact in particular: And therefore ſince he Abſolv'd him, he juſtified the Fact. Mr. *C.* tells us, that he did not ſee Sir *William Parkins*'s Paper till after the Execution. But did he not know by his *Confeſſion* how far he was engaged in the Crimes he was condemn'd for, and how little ſorry for it? He ſays he is not obliged to *reveal any part of his Confeſſion*. But why will he not? One Reaſon may be, becauſe it will make, not for him, but againſt him. If Sir *William* denied, that he was any ways concern'd in that of which he was accus'd, and for which he was condemn'd, or if he repented of it; why will not Mr. *C.* tell us ſo? To ſay the Truth on't, Mr. *C.* ſeems here to be at a loſs; whilſt at one time, he ſaith, Sir *William* gave him *the State of his Conſcience*, and upon which he judged him fit for the moſt *ſolemn Abſolution of the Church*; and yet another while, he would have his Reader believe, that Sir *William* did *not acquaint him with the intended Aſſaſſination*. But becauſe this was a little too groſs to impoſe upon his Reader in, he ſhuffles it off again; and would have it underſtood, that if he was *acquainted* with it, it was in *Confeſſion*; and then he is

obliged to conceal it. What else can be the meaning of what he saith? *Pray did he confess it to me, and have I revealed any part of his Confession? Then I had been guilty of High Misdemeanour indeed. I had broke the 113th Canon, and been pronounced irregular by the Church,* &c.

Mr. *C.* must have been in some distress, or else one of his capacity could not but have seen into the inconsistency of this. For

1. If Sir *William* gave him a *State of his Conscience*, he must give him an account of his *acquaintance with the intended Assassination.* For that was a Crime could not escape his Penitent's cognizance; and being of such an heinous nature in common estimation, the least that can be supposed of Sir *William* is, that he would know his Casuist's Judgment of it; whether it was a Crime or no Crime.

2. If Sir *William* did not *acquaint* him with it; yet the Confessary was bound to lay it home to his Conscience, if he himself knew it, and judged it to be a Crime; and for which the Confessary had a great advantage and a fair opportunity offer'd to him; because, he saith, Sir *William seem'd very desirous of absolution at his hands.*

3. The Confessary was bound not to be ignorant of this; for who would go to a Criminal, and be prepared to give him Absolution, and yet know nothing of the Crime he stood condemned for? This

This is contrary to common Senſe, and to the whole Form of proceeding according to the Rubrick in the *Office*; and what no Man in his Wits can believe of Mr. *C.* Nor indeed could he be herein ignorant, unleſs he had led the Life of an Hermit; and been carried directly from his Cell to *Newgate*, to hear his Confeſſion.

And yet when he talks of *the Committee*, and the *Votes*, &c. its after as looſe a way; and what none that know the circumſtances of the Confeſſary can imagine.

4. However there remains a terrible Caſt behind; for he ſuggeſts that he ſhould be chargeable with no leſs a Crime than betraying *Confeſſion*, if he ſhould diſcover it; and if he had owned that Sir *William acquainted him with the Intended Aſſaſſination.*

This I own would be the beſt Argument if it were true, or had any thing to ſupport it. But how ſacred and inviolable ſoever, the Seal of Confeſſion is; and which our Church has obliged all Guides of Souls to preſerve in caſes ſecret, and that concern the private State of a Man's Soul: Yet there is an exempted caſe, as Mr. *C.* acknowledges, in which the obligation doth not hold; and that is, when *the Crimes are ſuch as by the Laws of this Realm, the Miniſter's own Life may be called in queſtion, for concealing the ſame.* And what Crime is there that more apparently falls under this exception, than Treaſon, and the Aſſaſſination Can. 113.

nation of a Prince? A Crime which indeed had at the time of making this Canon, ſome Patrons in the World; but none till now in our Church. And now I leave it to every Impartial Perſon's Judgment (but amongſt them in this Argument, I am afraid I cannot promiſe Mr. *C.* will be one) to obſerve, whether *the Exception in the Canon doth not reach the caſe in hand, even upon the largeſt ſuppoſition*, as Mr. *C.* affirms.

Upon the whole I know not by what Principles theſe New-faſhioned Guides proceed; nor to what Church they are ſo near a kin, as that on the other ſide the four Seas: Such Principles are as unintelligible to me, as the *Methods of Murder* he talks of. And if after all, Mr. *C.* can Abſolve without knowing the Caſe of the Penitent (as, he did not know it, if he was not acquainted with Sir *William*'s Concernment, or Charge at leaſt, in the Aſſaſſination) or can *judge him to have aright to all the Privileges of Communion*, that as far as he ſeems to know, died Impenitent as to the higheſt Charge; then ſuch a Confeſſion and ſuch an Abſolution, and I may add ſuch Confeſſaries too, are the firſt, for ought I know of that ſort and, I pray, God they may be the laſt that ſhall trouble the World in this kind.

The Government is throughly perſwaded, that Mr. *C.* and his Abſolving Brethren did believe the Perſons Abſolv'd were concern'd in thoſe things for which they were condemn'd, and that they did not repent of 'em. Is the Government miſtaken in

in this Opinion, or not? I would ask Mr. *C. &c.* that one Queſtion. They dare not ſay that it is: They muſt therefore excuſe it, if it look a little hard upon them and expreſs a Reſentment ſuitable to their Faults.

But 2dly. Should we grant that Mr. *C.* intended to pronounce the Abſolution in *private*, if he could have been admitted to the Priſoner the laſt day, yet when he came to give it at the Place of Execution, he did it (as well as Mr. *Snatt* and Mr. *Cook*) in ſuch a manner and with ſuch Circumſtances, as ſhew, that he deſign'd to make it as publick and notorious as poſſibly he could. It plainly appears that they all three had concerted and agree'd that Matter before-hand. If they needs would Abſolve them, why did they not endeavour to conceal it from the People? No, that would not ſerve their turn. They were not content to pronounce the *Abſolution*, unleſs it were known to all the Hearers and By-ſtanders that it was an *Abſolution*. And becauſe there were many *Spectators*, who were not alſo *Hearers*, they contrive by uſing an unuſual Ceremony to make it be *ſeen* where it could not be *heard*, and to make it as more notorious, ſo alſo more memorable. And leſt it ſhould be ſuſpected that they were not all of the ſame mind, they all join their Hands together in the Abſolution of both Perſons. As they ſhew by pronouncing the Abſolution, that they look upon the Fact as no Sin, ſo by doing it after that manner, with ſuch unuſual Circumſtances, they

they bid the World take notice that they do not think it a Sin.

And after all this, can they think the Government ſo ſtupid as not a little to rouſe itſelf up at ſo publick and daring a Defiance? They may call theſe Proceedings, if they pleaſe, *an innocent Conduct*; they may think of the Government as they pleaſe; they cannot but know, that whatever they think of the Government, It thinks (upon good grounds) very well of itſelf; and of conſequence they muſt acknowledge, that it had Reaſon to reſent their Carriage and Behaviour as extremely *inſolent*, and to endeavour, by ſhewing itſelf ſenſible of this Affront, to ſecure itſelf from the like for the time to come.

Mr. *C.* tells us, that *when at Mr.* Aſhton's *Execution, Abſolution was given in the ſame manner with Impoſition of Hands, at the ſame place, and upon the ſame occaſion, and a juſtifying Paper left by the Perſon that ſuffer'd; at that time there was no Exceptions made either to Manner or Thing. The Performance was ſo far from diſpleaſing, that the* Sheriff *gave his Thanks for the Solemnity of the Office. There was no Complaints either at* Lambeth, *or* Whitehall, *no publick Invective, no ſeizing of Body and Goods; in ſhort, no Signs of the leaſt diſſatisfaction. And who* (ſays he) *could imagine, that the bare repeating of an Action, ſhould raiſe ſuch a Storm upon us now, which was perfectly inoffenſive before? To puniſh in this manner without Warning, or Precedent, without Canon,*

Canon, or Law, is (with ſubmiſſion) ſomewhat unintelligible. I have Reaſon to believe that what was done of this nature at Mr. *Aſhton*'s Execution, was never made known to the Governours either of the Church or State: And how could they puniſh a Perſon for that which they never heard of? If a ſingle Example of this kind be made uſe of as a *Precedent*, it is fit the Government ſhould take care that there may be no more ſuch *Precedents*. But ſaith he *the performance was ſo far from diſpleaſing, that the Sheriff gave his thanks for the Solemnity of the Office?* What for the *Office* of Abſolution, without declaring his Repentance for the Crime he was condemn'd for? He might as well have ſaid, that the Sheriff *thought well* of Mr. *Aſhton*'s *juſtifying Paper*, becauſe he was ſo civil as to receive it; and well of the Cauſe he died in, becauſe he would not interrupt him in his laſt Hours. Both alike probable, and both alike true. But among ſome Men Civility will paſs for approbation; and every Man that is not rude ſhall be of their Party, or a well-wiſher to it. The Worthy Perſon that at that time bore that Character is alive, and the beſt Relater of his own Actions: But he knows nothing of this matter; and ſaith it is no other than a Fiction; or at beſt a groſs miſtake.

Mr. *C.* thinks it *ſomewhat unintelligible to puniſh in this manner without Warning, or Precedent, without Canon, or Law.* To me it is not only *ſomewhat* but *very unintelligible*, that to puniſh for ſuch a Proceeding is *to puniſh without Warning, or Precedent, or Canon, or Law.* Are not Men ſuf-

ficiently *warn'd* not to do any thing that may reasonably be construed to be a Defiance to the Government? Is there no *Law or Canon* of the Church to *Admonish* such *Presbyters* as presume of themselves to act contrary to the *Rubrick*, and openly to use such Ceremonies as are not customary? Is there no *Law* to punish and chastise such Persons as declare, by their Actions, in the face of the whole World, that they think it no Crime to bring in a Foreign Power; (whose business it has been to extirpate the Protestant Religion in his own Country, as well as to trample under his Imperious Foot the native Privileges of his People?) Is there no Law to call such Persons to account; that violate the Laws of Nations, and that combine to assassinate one whom the Nation after the most solemn manner has owned to be their King; and who enjoys the Crown by the surest of Tenures, the affections of his People, as well as the Consent of the Estates of the Realm? Is there no Law, nor Canon to punish such Confessaries, as Absolve those that imbrue their hands in the Blood of Princes, and that dye without declaring any particular Repentance for what they stand condemned for, and a Repentance as open and notorious as their Crime? By this new sort of Casuistical Divinity, They may dye *as innocent as the Child unborn*, who combine to call in and join with a Foreign Force; that should they have had Success answerable to the design, would have laid the whole Nation desolate, and made it a Field of Blood. These are the Persons that are absolv'd. But how are they absolv'd? Mr. *C.* speaks

peaks for the reſt, *I*, ſaith he, *abſolv'd Sir William as a Penitent.* Thus indeed it ſhould have been, if the nature of Abſolution had been heeded; for that (as Mr. *C.* rightly obſerves) *ſuppoſes both ſin and repentance in the notion of it.* And if Sir *William* died *as a Penitent*, and Mr. *C.* abſolv'd him *as a Penitent*; then ſurely Sir *William* did expreſs his Repentance, and his Repentance, eſpecially, for being concerned *in the intended Aſſaſſination.* Here Mr. *C.* cautiouſly ſlips this over (as he always doth, when it comes in his way) For, ſaith he, *as to the matter of* Sir William's *Repentance, that is never likely to be known from me.* A caution that is indeed fit to be obſerv'd (as has been before ſaid) in caſes ſecret and that belong to the Cloſet. But what's this to Sir *William*'s Caſe, who was condemned for a Crime as notorious as heinous; and what he confeſs'd himſelf to have been guilty of? Now can Mr. *C.* be ſuppoſed to *receive his Confeſſion*, and that this ſhould not be a branch of it? Then it would have been *a defective Confeſſion* indeed. But, ſaith he, *ſuppoſing I received a defective Confeſſion, am I accountable for it?* Yes ſurely, accountable to God for ſuffering him *that was ready to receive the fatal ſtroke*, to dye Impenitent; for ſo Sir *William* did, if he neither charged himſelf with it, nor was charged with it by Mr. *C.* And accountable he is to the State, nay to all Mankind for abſolving him *as a Penitent*, that died guilty in deſign, of an execrable Aſſaſſination; which is in Mr. *C.* a fair ſtep to the juſtifying of it. So that as to the World Sir *William* is thought to dye *Impenitent*; and if not ſo to Mr. *C.* he muſt dye as to him a *Martyr.*

I ſhall

I shall add but a word or two more, and that is to tell you, that I think the *Non-jurant Clergy* are obliged both in Conscience and Honour, and as they desire the Protection of the Government, to *Protest* against these Proceedings of their Brethren, Mr. *Collier*, Mr. *Snatt*, and Mr. *Cook*; and not by Silence or Connivance, much less by direct and avow'd Approbation, to consent to their Irregularities, and to make their mere *being of the Party*, a sufficient Qualification, how uncanonical soever they were in giving Absolution to others, to obtain from them their *Own*.

I am Sir, &c.

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